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A bill to exemp
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Feb. 19, 1863.

[HOUSE BILL No. .]

HOUSE OF REPRESENTATIVES, February 19, 1863.—Read first and second times, and ordered to be printed.

[By Mr. MILES, from Committee on Military Affairs.]

A BILL

To exempt certain persons from military duty, and to repeal all Acts heretofore passed by Congress on the same subject.

1 SECTION 1. *The Congress of the Confederate States of America do*
2 *enact*, That certain persons, as hereinafter provided, are, and
3 shall be exempt from military service in the Provisional army of
4 the Confederate States:

5 I. Persons who shall be held unfit for military service in the
6 field by reason of mental or physical incapacity or imbecility,
7 under rules to be prescribed by the Secretary of War.

8 II. The Vice President of the Confederate States, and the
9 officers, judicial and executive of the Confederate and State
10 Governments, including postmasters appointed by the President
11 and confirmed by the Senate, and such clerks now employed in

12 their offices as are allowed in writing by the Postmaster General,
 13 and excluding all other postmasters, their assistants and clerks,
 14 and except such State officers as the several States may have
 15 declared or may hereafter declare, by law, to be liable to
 16 military duty in the Provisional army of the Confederate States.

17 III. Members of both Houses of the Congress of the Confed-
 18 erate States, and of the Legislatures of the several States, and
 19 their respective officers.

20 IV. All volunteer troops heretofore raised by any State since
 21 the passage of the act "further to provide for the public
 22 defence," approved April 16, 1862, while such troops shall be in
 23 active service under State authority: *Provided*, This exemption
 24 shall not include any person liable to military duty under said
 25 last named act.

26 V. Pilots and persons actually and regularly engaged in
 27 the merchant marine service.

28 VI. Captains, engineers, pilots and mechanics of boats actually
 29 and regularly employed in river or canal navigation.

30 VII. Presidents, superintendents, engineers, and section-mas-
 31 ters of railroads, and the artisans and mechanics regularly
 32 employed in the workshops of railroad companies.

33 VIII. The president, general superintendent, and operators of
 34 telegraph companies, and the local superintendent and operators

35 of said companies, not to exceed two in number at any locality,
36 except the seat of Government of the Confederate States.

37 IX. Such printers of each newspaper now being published in
38 the Confederate States as the editor or proprietor thereof may
39 certify on oath to be indispensable for conducting the publication.
40 Also the Public Printer, and those employed to perform the
41 Public Printing for the Confederate and State Governments.

42 X. Ministers of religion authorized to preach according to
43 the rules of their sect, and in the regular discharge of minis-
44 terial duty, also, all persons who have been, and now are mem-
45 bers of the society of Friends, and the association of Dunkards,
46 Nazarines and Menonists, in regular membership in their re-
47 spective denominations: *Provided*, Each member of said de-
48 nominations shall have furnished a substitute or paid the tax of
49 five hundred dollars into the public treasury, as authorized
50 under the exemption act, approved October 11, 1862, or shall
51 hereafter pay said tax.

52 XI. Physicians who now are, and for the last five years have
53 been, in the actual practice of their profession.

54 XII. Superintendents of public hospitals, lunatic asylums,
55 and the regular physicians, nurses and attendants therein, and
56 the teachers employed in the institutions of the deaf, dumb and
57 blind.

58 XIII. Presidents and teachers of colleges, academies, schools
 59 and theological seminaries, who have been regularly engaged as
 60 such for two years previous to the passage of this act.

61 XIV. One practical apothecary in each drug store now estab-
 62 lished, and regularly engaged in the sale of drugs, upon the
 63 payment by said apothecary, or his employer, of five hundred
 64 dollars, annually, into the the treasury of the Confederate
 65 States.

66 XV. The regiment raised under, and by authority of the
 67 State of Texas, for frontier defense, now in the service of said
 68 State, and while in such service.

69 XVI. All artisans, mechanics and employees in the establish-
 70 ments of the government for the manufacture of arms, ordnance,
 71 ordnance stores, and other munitions of war, or army supplies,
 72 who may be certified, under oath by the officer in charge thereof,
 73 as indispensable to such establishments. All artisans, mechan-
 74 ics, and employees in the establishments of such persons as are,
 75 or may be engaged, under contracts with the government, in
 76 furnishing arms, ordnance, ordnance stores, and other munitions
 77 of war: *Provided*, The Chief of the Ordnance Bureau, or some
 78 ordnance officer authorized by him for the purpose, shall approve
 79 of the number of operatives required in such establishments:
 80 *And provided, also*, That the persons so contracting with the gov-

ernment shall make oath, in writing, to be filed with the Secretary of War, that the artisans, mechanics, and employees in said establishments are indispensable thereto on account of their skill in such work and labor; and that, after diligent effort, they have been unable to procure artisans, mechanics or employees, who have been discharged from the Provisional Army, or who are not subject to military duty. Also, all persons employed in the manufacture of arms or ordnance of any kind by the several States, or by contractors to furnish the same to the several State governments, whom the Governor or Secretary of State thereof may certify to be necessary to the same: *Provided, That* said last named contractors shall make oath as required in this paragraph of contractors with the Confederate government.

XVII. All persons engaged under the authority of the Secretary of the Navy in the construction of ships, gun-boats, engines, sails, or other articles necessary to the public defense.

XVIII. Superintendents and operators in wool and cotton factories, and paper mills, whom the Secretary of War may approve as necessary for such establishments. The owners of said wool and cotton factories and paper mills to make affidavit in writing, to be filed with the Secretary of War, that said superintendents and operators are skilled as such and indispensable to said establishments.

104 XIX. Superintendents, mechanics, and miners, employed in
 105 the production and manufacture of lead and iron; also, persons
 106 engaged in burning coke for the smelting and manufacture of
 107 iron; regular miners in coal mines, and one collier to each fur-
 108 nace and forge for making blooms, and pig and bar iron, not to
 109 embrace laborers, messengers, wagoners and servants, unless
 110 employed at works conducted and by the officers or agents of a
 111 State, or in works employed in the production of iron for the
 112 Confederate States: *Provided*, The persons interested in the
 113 exemption from military duty of said superintendents, mechanics,
 114 miners and colliers, shall make affidavit in writing, that said per-
 115 sons are skilled in said labor, and are indispensable to such
 116 works; and that, after diligent effort, they have been unable to
 117 procure superintendents, mechanics, miners and colliers who have
 118 been discharged from the Provisional Army, or who are not
 119 subject to military duty.

120 XX. Blacksmiths, mill-wrights and the engineers of flour,
 121 grist and saw mills, skilled, actually and regularly employed in
 122 said trades, and regularly engaged in working for the public.

123 XXI. All exemptions herein granted to persons by reason of
 124 their peculiar mechanical or other occupation or employment, not
 125 connected with the public service, shall be subject to the condi-
 126 tion that the products of the labor of such exempts, or of the
 127 companies and establishments in which they are employed, shall be

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128 sold and disposed of by the proprietors thereof at prices not to
129 exceed 75 per centum upon the cost of production, or within a
130 maximum to be fixed by the Secretary of War, under such
131 regulations as he may prescribe ; and it shall be the duty of said
132 proprietors to have at all times exhibited, in the most conspicuous
133 place in their said establishments, a list, in writing, verified by
134 affidavit, of the cost of each item entering into the production of
135 the articles or wares offered by them for sale to the public ; and
136 if it shall be made known to the Secretary of War, or any officer
137 authorized to enroll such persons, that said exhibit has not been
138 made, or that any of the conditions of said exemptions, specified
139 in this paragraph, have been violated, or in any manner evaded,
140 by said proprietors, the exemption granted shall no longer be
141 extended to them, their superintendents or operatives in said
142 establishments, but they and each and every of them shall be
143 forthwith enrolled and ordered into the Confederate army, and
144 shall in no event be again exempted therefrom by reason of said
145 manufacturing establishment or employment therein.

146 XXII. In addition to the exemptions specified in the foregoing
147 paragraphs, the Secretary of War is hereby authorized, and it
148 shall be his duty, under the direction of the President, to ex-
149 empt or detail from the provisional army, upon any terms or
150 conditions he may prescribe, such other persons as he shall be
151 satisfied, with the sanction of the President, ought to be exempt-

152 ed or detailed for the police of plantations cultivated exclusively by
153 slave labor and owned by widdows, minors under eighteen, lunatics
154 and persons in the service of the country; also, for the mainte-
155 nance and support of the army, the public defense, or the general
156 vital interests of the country; and it is the true intent and
157 meaning of this act that the enumeration of the exemptions in
158 the foregoing paragraphs, shall not be construed to limit or re-
159 strain the exercise of the power herein granted.

1 Sec. 2. That the foregoing exemptions shall only continue
2 whilst the persons exempted are actually engaged in their re-
3 spective pursuits or occupations.

1 SEC. 3. That all acts or parts of acts heretofore passed by
2 Congress to exempt persons from military service in the pro-
3 visional army of the Confederate States, are hereby repealed.

Hollinger Corp.
pH 8.5